

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 04-15539  
\_\_\_\_\_

D. C. Docket No. 04-22572-CV-JLK

**FILED**

**U.S. COURT OF APPEALS**

**ELEVENTH CIRCUIT**

**September 28, 2005**

**THOMAS K. KAHN  
CLERK**

EMMA YAIZA DIAZ,  
EBONY ROBERTS,  
ANDRE NEAL BEMBRY,  
AFL-CIO, American Federation of Labor and  
Congress of Industrial Organizations,  
AMERICAN FOUNDATION, of State County and  
Municipal Employees, AFL-CIO,  
FLORIDA PUBLIC EMPLOYEES COUNCIL 79,  
AFSCME, AFL-CIO,  
SERVICE EMPLOYEES INTERNATIONAL UNION,  
AFL-CIO,

Plaintiffs-Appellants,

versus

SECRETARY OF THE STATE OF FLORIDA,  
Glenda Hood,  
BROWARD COUNTY SUPERVISOR OF ELECTIONS,  
Brenda Snipes, DUVAL COUNTY,  
Supervisor of Elections, Jerry Holland,  
MIAMI DADE COUNTY,  
Supervisor of Elections, Constance Kaplan,  
ORANGE COUNTY,  
Supervisor of Elections, Bill Cowles, et al.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Florida

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**(September 28, 2005)**

Before TJOFLAT and BARKETT, Circuit Judges, and MILLS\*, District Judge.

PER CURIAM:

In this case, the district court dismissed Appellants' Complaint on the grounds that Appellants lacked standing to sue. The district court erred in this conclusion. However, the parties have noted that the Florida law pertaining to voter registration relevant to this case has been amended during the pendency of this appeal. The district court judgment is VACATED and the case REMANDED for further proceedings including the filing of an amended complaint, taking into account the law as it presently exists.

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\*Honorable Richard Mills, United States District Judge for the Central District of Illinois, sitting by designation.